

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KRYSTI SOVA,

Plaintiff,

vs.

NEBRASKA DEPARTMENT OF
CORRECTIONAL SERVICES,

Defendant.

4:23CV3121

**FINAL PROGRESSION ORDER
(AMENDED)**

After conferring with the parties, the Court grants Defendant's unopposed motion for enlargement of time. [Filing No. 33](#).

Accordingly,

IT IS ORDERED that the final progression order is amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings currently set for January 21, 2025 is continued and will be held with the undersigned magistrate judge on **May 27, 2025** at **9:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is January 8, 2025. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by January 15, 2025.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, (Fed. R. Civ. P. 26(a)(2)(B)), and non-retained experts, (Fed. R. Civ. P. 26(a)(2)(C)), are:
- | | |
|-------------------------|-------------------|
| For the plaintiff(s): | February 5, 2025. |
| For the defendant(s): | March 7, 2025. |
| Plaintiff(s)' rebuttal: | March 21, 2025. |
- 4) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, (Fed. R. Civ. P. 26(a)(2)(B)), and non-retained experts, (Fed. R. Civ. P. 26(a)(2)(C)), are:
- | | |
|-------------------------|----------------|
| For the plaintiff(s): | March 7, 2025. |
| For the defendant(s): | May 12, 2025. |
| Plaintiff(s)' rebuttal: | May 26, 2025. |
- 5) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is May 21, 2025.
- 6) The deadline for filing motions to dismiss and motions for summary judgment is June 20, 2025.
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is August 28, 2025.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. **Such requests will not be considered absent a substantial showing of good cause.**
- 9) All deadlines and provisions of the Court's prior final progression orders not amended herein remain unchanged.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

Dated this 10th day of September, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge